

CITY OF SAN BRUNO



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STAFF

Tambri Heyden, AICP, *Community Development Director*
Aaron Akin, AICP, *Planning Manager*
Mark Sullivan, AICP, *Housing and Redevelopment Manager*
Tony Rozzi, *Assistant Planner*
Lisa Costa-Sanders, *Contract Planner*
Cathy Hidalgo, *Recording Secretary*
Pamela Thompson, *City Attorney*

PLANNING

COMMISSIONERS

Sujendra Mishra, *Chair*
Rick Biasotti, *Vice-Chair*
Commissioners:
Mary Lou Johnson
Bob Marshall Jr.
Perry Petersen
Kevin Chase
Joe Sammut

COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING COMMISSION MINUTES

SEPTEMBER 5, 2006

San Bruno Senior Center
1555 Crystal Springs Blvd.
7:00 P.M. to 10:00 P.M.

CALL TO ORDER at 7:02 pm.

ROLL CALL

	<u>Present</u>	<u>Absent</u>
Chair Mishra	X	
Vice Chair Biasotti	X	
Commissioner Chase	X	
Commissioner Johnson		X
Commissioner Marshall		X
Commissioner Petersen	X	
Commissioner Sammut	X	

STAFF PRESENT:

Planning Division: Community Development Director: Tambri Heyden
Planning Manager: Aaron Akin
Assistant Planner: Tony Rozzi
Community Dev. Recording Secretary: Cathy Hidalgo
City Attorney: Pamela Thompson

Pledge of Allegiance: Commissioner Petersen

A. Approval of Minutes – AUGUST 15, 2006

Motion to Approve Minutes of August 15, 2006 Planning Commission meeting.

Commissioner Petersen/Vice Chair Biasotti

VOTE: 5-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

B. Communication

None at this time. Packets are available on line at www.sanbruno.ca.gov

C. Public Comment

None at this time.

D. Announcement of Conflict of Interest

None

E. Public Hearings

1. 543 5th Avenue

Request for a Use Permit to allow the construction of an addition to an existing residence which increases the floor area by more than 50% per Section 12.200.030.B.1 of the San Bruno Zoning Ordinance. Raquel Rico (Owner/Applicant) UP-06-019

Assistant Planner Rozzi entered staff report.

Staff recommends that the Planning Commission approve Use Permit 06-19 based on Findings of Fact (1-6) and Conditions of Approval (1-20).

Chair Mishra asked Commission if there were any questions for staff.

Commissioner Petersen: Condition #6 – will not prevent renting out a room?

Assistant Planner Rozzi – Correct

Commissioner Petersen: Condition #7 – does that mean the garage will not be used for storage and only motor vehicles.

Assistant Planner Rozzi – it is to be used for auto storage only, not to be filled with other items to not be able to use for vehicle storage. It is conditioned so that it won't be used as a game room, or any other use.

Commissioner Petersen: would it be appropriate to designate that it has a car or nothing?

Assistant Planner Rozzi: yes, appropriate.

Commissioner Chase: Regarding neighbors comments, the garage used for storage of motor vehicles. The concerns of them working on their vehicles, can it be more specific, in the event they use the garage to continue working on vehicles to prevent that. The vehicle that is stored is operable and is theirs.

Planning Manager Akin: The code does not allow you to work on other's cars. We could repeat that code within the conditions. The other code relates to non storing of inoperable vehicles in the driveway.

Commissioner Chase: would like both those in the conditions of approval.

Vice Chair Biasotti: Comments from neighbors about the garage being used for habitable space.

Planning Manager Akin: Responds that if they are using the garage as a living area, then it becomes a code enforcement case.

Vice Chair Biasotti: then this is already in our books.

Planning Manager Akin: Correct.

Commissioner Sammut: doesn't see in the conditions regarding the shed in the rear. That is one thing all neighbors commented.

Assistant Planner Rozzi: The shed is being removed.

Sammut: Is that both sheds being removed?

Assistant Planner Rozzi: the 10 x 10 accessory shed can remain; the larger shed has to be removed.

Commissioner Chase: Under the additional info, accessory structures, the rear structure is what is being removed?

Planning Manager Akin: Correct, it is 450 sq ft. shed. The larger structure in the rear will be removed.

Assistant Planner Rozzi: Clarifying that there were some letters received after the staff reports were posted and they have been copied for the Planning Commissioners.

Chair Mishra asked the applicant to address the Commission and introduce the project.

Applicant: Applicant introduced, Mr. Rico, wants to improve the house. Agrees to change the old siding to stucco.

Commissioner Petersen: in the application, are you agreeing to the conditions?

Applicant: yes.

Vice Chair Biasotti: Comment on what the neighbors are saying.

Applicant: Responded that he just moved to the house, wants to extend the house, use the garage and the driveway. Anxious to start building and put things together. Just installed a radio, does not fix cars. If this is an issue, will not do it again.

Vice Chair Biasotti: comments on number of people in the house and in the shed.

Applicant: Assistant Planner Rozzi called to come to the house, invited him to do that. No one living there. Agreed to move the large shed.

Commissioner Petersen: Partly because of the comments and partly because of the neighborhood, made some comments for additional conditions. The garage and driveway must be open in order to park cars.

Applicant: will be replacing the garage door, so that neighbors can see into his garage and that it will be used for cars.

Planning Manager Akin: We visited the site and it is being used for storage, no signs of anyone living there.

Public Comment opened.

Public Speaker #1, Marina Kaiser, 5th Avenue Resident. Hopes applicant is sincere and hopes that he improves the house and it is old. Regarding the mailing, Should state how much over the 50% they are going, and how much yard is left after the improvement. It is difficult to make an informed decision with the information that is being sent and how it relates.

Commissioner Petersen: point well taken on, will make recommendation to staff that if you are interested you can receive a copy of the whole staff report.

Public Speaker #1: need to make the numbers larger and that give more information that is pertinent.

Public Comment closed.

Chair Mishra asked Commission if there were any comments.

Commissioner Petersen: thanks staff for research on this report.

Motion to approve Use Permit 06-19 based on Findings of Fact (1-6) and Conditions of Approval (1-20), with the following amendments.

Condition 6 - The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a second dwelling unit.

Commissioner Petersen/Commissioner Chase

Commissioner Chase: doesn't agree with the "inoperable" vehicle in the garage. If it is the owners, then it shouldn't matter.

Modify the motion, include the following amendment to Condition 7 - The garage and driveway must be open in order to park cars..

VOTE: 5-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

Commissioner Petersen: Compliments applicant on application and improve the property. Agrees with public speaker and this should be an improvement for the neighborhood.

FINDINGS OF FACT

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use since all construction will meet the Uniform Building Code and attain all appropriate Building Division permits.
2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given the expansion is in scale with the neighborhood and is consistent with the permitted uses of a single family residential neighborhood.
3. The proposed development will be consistent with the City of San Bruno General Plan Policy (1) and Goal (3), since the proposed single family home meets the general plan designation of single family residential for the subject property. Any establishment of a second dwelling unit on the property would require Planning Division review and approval.
4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of

land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood, since the structure maintains the setbacks required by code, will remain a single story and will consist of a gable roof parallel to the adjacent neighbors.

5. The general appearance of the proposed architectural design will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood since this addition will be an economic benefit to the surrounding area.
6. The proposed expansion complies with applicable off-street parking standards of the San Bruno Zoning Ordinance.

CONDITIONS FOR APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 06-19 shall not be valid for any purpose. Use Permit 06-19 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on September 5, 2006, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit.
7. The garage shall be used for the storage of motor vehicles or it shall remain empty. No area of the garage shall otherwise be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. Applicant shall redesign the existing garage area to meet the minimum required dimension of 10'-0" by 20'-0" in length, as stated in the San Bruno Zoning

Ordinance. No laundry facilities may be located within the existing garage. Additionally, a redesign of the landing from the home is required prior to the issuance of any Building Division permit.

9. The loft area above the garage shall be used for storage only. Applicant shall redesign access to the storage area in order to meet the minimum required dimensions for the existing single-car garage prior to the issuance of any Building Division permit.
10. Applicant shall remove the existing rear accessory structure (measuring approximately 30' x 50') prior to any Community Development Department Final inspection. During the Building Division submittal and construction process, no portion of the structure shall be occupied or rented out as a secondary residential dwelling unit.
11. Vehicle repair is prohibited in residential districts. No vehicle repair is to be done at the subject property. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs.

Department of Public Works – (650) 616-7065

12. Encroachment Permit from Engineering Department required prior to work. S.B.M.C. 8.16.010.
13. Install a sanitary sewer lateral clean-out at property line per City standards details SS-01.
14. No fence, retaining wall, or other permanent structure to be placed within 2' from back of sidewalk. S.B.M.C. 8.08.010.
15. Paint address number on face of curb near driveway approach. Black lettering on white background.
16. Storm water from new and existing roof down-spouts, shall be collected and drained to an underground storm water system or through an undersidewalk curb drain to the gutter per City standards detail SI-03. Chapter 11, UPC 1101.1
17. Remove weeds and grass from sidewalk, curb and gutter. Prune other plantings in the right-of-way. S.B.M.C. 8.24.140/150/180.

Fire Department – (650) 616-7096

18. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
19. Provide spark arrestor for chimney.
20. Provide hardwired smoke detectors with battery backup to all bedrooms and hallways.

Chair Mishra advised of a 10-day appeal period.

2. 1670 Claremont Avenue

Request for a Use Permit to allow the construction of an addition that exceeds the .55 floor area ratio guideline per Section 12.200.030.B.2 of the San Bruno Zoning Ordinance. Dale Design (Applicant), James Greig (Owner). UP-06-021

Assistant Planner Assistant Planner Rozzi entered staff report.

Staff recommends that the Planning Commission approve Use Permit 06-21 based on Findings of Fact (1-6) and Conditions of Approval (1-15).

Chair Mishra asked Commission if there were any questions for staff.

Chair Mishra asked the applicant to address the Commission and introduce the project.

Applicant: Applicant introduced Dale Sessions, designer and James Grieg. Comments that the design is in tune with neighborhood. The bulk of the house is setback from the property line. James added that in terms to the addition of the garage space, they are eliminating a 10x10 shed in the back.

Chair Mishra: Was that an accessory structure?

Applicant: yes

Commissioner Chase: appreciates addressing the comments at ARC and thanked applicant.

Public Comment opened.

Public Comment closed.

Commissioner Chase: Comments to staff, Condition 6 & 7 read the same as the previous applicant, would it be appropriate to make the same amendments.

Assistant Planner Rozzi: responded they will update their conditions appropriately.

Motion to approve Use Permit 06-21 based on Findings of Fact (1-6) and Conditions of Approval (1-15). Including the changes to 6 & 7

Commissioner Chase/Vice Chair Biasotti

VOTE: 5-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

FINDINGS OF FACT

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use since all construction will meet the Uniform Building Code and attain all appropriate Building Division permits.
2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given the expansion is in scale with the neighborhood and is consistent with the permitted uses of a low-density residential neighborhood.
3. The proposed development will be consistent with the general plan, since the proposed single family home meets the general plan designation of low-density residential for the subject property. Any establishment of a second dwelling unit on the property would require Planning Division review and approval.
4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the

neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood, since the structure maintains the setbacks required by code, will remain a single story and will consist of a gable roof parallel to the adjacent neighbors.

5. The general appearance of the proposed architectural design will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood since this addition will be an economic benefit to the surrounding area.
6. The proposed expansion complies with applicable off-street parking standards of the San Bruno Zoning Ordinance.

CONDITIONS FOR APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 06-21 shall not be valid for any purpose. Use Permit 06-21 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on September 5, 2006, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit.
7. The garage shall be used for the storage of motor vehicles or it shall remain empty. No area of the garage shall otherwise be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

Department of Public Works – (650) 616-7065

8. Encroachment Permit from Engineering Department required prior to work. S.B.M.C. 8.16.010.
9. Install a sanitary sewer lateral clean-out at property line per City standards details SS-01.
10. No fence, retaining wall, or other permanent structure to be placed within 5'-6" from back of sidewalk. S.B.M.C. 8.08.010.
11. Paint address number on face of curb near driveway approach. Black lettering on white background.
12. Storm water from new and existing roof down-spouts, shall be collected and drained to an underground storm water system or through an undersidewalk curb drain to the gutter per City standards detail SI-03. Chapter 11, UPC 1101.1
13. Planting of one (1) 36-inch box size approved tree or payment of \$540.00 each to the in-lieu replacement tree fund. S.B.M.C. 8.24.060

Fire Department – (650) 616-7096

14. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
15. Provide hardwired smoke detectors with battery backup to all bedrooms and hallways.

Chair Mishra advised of a 10-day appeal period.

3. 852 2nd Avenue

Request for a Use Permit to allow the construction of an addition to an existing residence which increases the floor area by more than 50% per Section 12.200.030.B.1 of the San Bruno Zoning Ordinance. Arthur Lubag (Owner/Applicant). UP-06-019

Planning Manager Planning Manager Aknin entered staff report. Applicant is absence due to a death in the family. Staff finds this is straight forward and will answer any questions. This was approved in March 2005, but since applicant did not pull the permit, it needed to come back to the Planning Commission for approval once again.

Staff recommends that the Planning Commission approve Use Permit 06-23 based on Findings of Fact (1-7), subject to revisions and Conditions of Approval (1-20).

Chair Mishra asked Commission if there were any questions for staff.

None

Chair Mishra asked the applicant to address the Commission and introduce the project.
APPLICANT ABSENT.

None

Public Comment opened.

Public Comment closed.

Motion to approve Use Permit 06-23 based on Findings of Fact (1-7), subject to revisions and Conditions of Approval (1-20).

Commissioner Sammut/Commissioner Chase

VOTE: 5-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

FINDINGS OF FACT

1. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
2. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use as the addition will require the applicant to obtain a building permit and all work will be constructed according to the Uniform Building Code.
3. The proposed development will benefit the adjacent property values through investment and not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the City. The proposal generally complements the current neighborhood design, both in scale and with its architectural features and is consistent with other homes found in the neighborhood.
4. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for single family residential purposes.
5. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood, since the structure maintains larger front and rear setbacks than the minimum required by code.
6. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials match the materials found in the immediate neighborhood and the proportions of the house are similar to other houses in the neighborhood.
7. The proposed expansion complies with the applicable off-street parking standards of the San Bruno zoning ordinance.

CONDITIONS FOR APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 06-07 shall not be valid for any purpose. Use Permit 06-07 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.

2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on September 5, 2006, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit.
7. The garage shall be used for the storage of motor vehicles or it shall remain empty. No area of the garage shall otherwise be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

Department of Public Works – (650) 616-7065

8. Install a sanitary sewer lateral clean-out at property line per City standards details SS-01.
9. Storm water from new and existing roof down-spouts, shall be collected and drained to an underground storm water system or through an under sidewalk curb drain to the gutter per City standards detail SI-03. Chapter 11, UPC 1101.1
10. Paint address number on face of curb near driveway approach. Black lettering on white background.
11. Encroachment Permit from Engineering Department required prior to work. S.B.M.C. 8.16.010.
12. Planting of one 36-inch box size approved tree or payment of \$540.00 each to the in-lieu replacement tree fund. S.B.M.C. 8.24.060.
13. No fence, retaining wall, or other permanent structure to be placed within 2 feet from back of sidewalk. S.B.M.C. 8.08.010.
14. Replace all broken or raised concrete in sidewalk or driveway approach as marked per S.B.M.C 8.12.010.
15. The front yard of the property shall be kept clean during the construction process, and no construction debris or materials shall be stored in the public right-of-way.
16. The project shall be cleaned up prior to issuance of a building permit.

Fire Department – (650) 616-7096

17. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
18. Provide spark arrestor for chimney.
19. Provide hardwired smoke detectors with battery backup to all bedrooms and hallways.
20. Walk and eaves shall be fire rated with no openings that are closer than 3 feet from the property line.

Chair Mishra advised of a 10-day appeal period.

F. Discussion

1. City Staff Discussion

Volunteer 9/14 ARC, Commissioner Chase and Mishra already volunteered, need one more. Have a few commercial projects. Will call other commissioners.

2. Planning Commission Discussion

Commissioner Petersen: asked staff to put on the notice to neighbors in bold face type to contact staff for the staff report.

Planning Manager Akin: Believes it is. They make contact with adjacent neighbors and address all questions and concerns and send more detailed information.

Commissioner Petersen: suggests indicating it separately in bold face

Vice Chair Biasotti: what about putting the public notice on the website?

Planning Manager Akin: we could with the plans.

Commissioner Petersen: does staff make PDF out of all these applications?

Planning Manager Akin: yes

Commissioner Sammut: Was a little taken aback by the letter received tonight and it had more to do with the ethnicity rather than fact. Do you have to present?

Planning Manager Akin: unfortunately that is something we have to forward, and happy that the commissioners saw through it.

G. Adjournment

Meeting was adjourned at 7:54 pm

Tambri Heyden

Secretary to the Planning Commission
City of San Bruno

Sujendra Mishra, Chair

Planning Commission
City of San Bruno

NEXT MEETING: September 19, 2006

TH/ch